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Attorney for Plaintiff

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 LEE KIRK, An Individual) CASE NO. **2:18-cv-00043-JCM-GWF**

9)
10 Plaintiff,)

11 vs.)

12 TRULITE GLASS AND ALUMINUM)
13 SOLUTIONS, LLC, a Foreign Limited)
Liability Company, HERBERT CORTEZ,)
14 an Individual, STEVE WILLIAMS,)
an Individual, SHAUN HANNA, an)
15 Individual, DOES I -X;)
ROE CORPORATIONS I -X.)

16)
17 Defendants.)

18 **STIPULATION AND ORDER TO FILE AMENDED COMPLAINT**

19 COMES NOW, the Plaintiff, LEE KIRK ("Kirk"), by and through his attorney, JENNY
20 L. FOLEY, Ph.D., ESQ., of the law firm HKM EMPLOYMENT ATTORNEYS LLP, and
21 Defendants, TRULITE GLASS AND ALUMINUM SOLUTIONS, LLC, HERBERT
22 CORTEZ, STEVE WILLIAMS, and SHAUN HANNA, ("DEFENDANTS"), by and through
23 their attorney, TIMOTHY ROEHRS, ESQ., of LITTLER MENDELSON, P.C. and hereby
24 stipulate and agree as follows:
25

- 26 1. That the Plaintiff will file the attached Amended Complaint.
27
28

1 2. Defendants agree to withdraw by virtue of this stipulation the Motion to Dismiss
2 they filed on March 6, 2018 without prejudice.

3 3. The Defendants' response to the Amended Complaint will be due fourteen
4 calendar days after the Early Neutral Evaluation in this matter. The Early Neutral Evaluation
5 is currently set for April 18, 2018. The Defendants' response to the Amended Complaint will
6 therefore be due on May 2, 2018, if the Early Neutral Evaluation does not result in a resolution
7 of this case.
8

9 4. The parties agree that this stipulation and Defendants' withdrawal of their
10 Motion to Dismiss in no way operates as a waiver of Defendants' right to respond to the
11 Amended Complaint in any manner allowed by the Federal Rules of Civil Procedure.
12

13
14 Dated this 10th day of April, 2018.

Dated this 10th day of April, 2018.

15 **HKM Employment Attorneys LLP**

Littler Mendelson, P.C.

16
17 /s/ Jenny L. Foley
18 Jenny L. Foley, Ph.D., Esq.
19 Nevada Bar No. 9017
1785 East Sahara Ave., Suite 325
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/s/ Timothy Roehrs
Timothy Roehrs, Esq.
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